

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|   |   |                                   |
|---|---|-----------------------------------|
| <b>NOLEN SCOTT ELY, et al.,</b>                     | : | <b>Civil No. 3:09-CV-2284</b>     |
|   | : |                                   |
| <b>Plaintiffs</b>                                   | : | <b>(Magistrate Judge Carlson)</b> |
|   | : |                                   |
| <b>v.</b>   | : |                                   |
|   | : |                                   |
| <b>CABOT OIL &amp; GAS<br/>CORPORATION, et al.,</b> | : |                                   |
|   | : |                                   |
| <b>Defendants</b>                                   | : |                                   |

**ORDER**

AND NOW, this 31<sup>st</sup> day of March 2017, upon consideration of the defendant's motion for judgment as a matter of law, alternatively for a new trial, or for remittitur (Doc. 756.); and upon consideration of the parties' briefs and the record taken of the trial proceedings; and for the reasons fully explained in the Court's memorandum and opinion that accompanies this Order, IT IS HEREBY ORDERED THAT:

1. Cabot's motion for judgment as a matter of law pursuant to Fed. R. Civ. P. 50(b) is DENIED;
2. Cabot's motion for a new trial pursuant to Fed. R. Civ. P. 59 is GRANTED;
3. The parties shall be required to engage in further settlement proceedings prior to a new trial;

4. If settlement proceedings are unsuccessful at resolving the plaintiffs' remaining claims, a new jury trial shall be set; and
5. A further pretrial scheduling Order shall issue separately.

/s/ **Martin C. Carlson**

Martin C. Carlson

United States Magistrate Judge